

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
TERRI SIMMONS,

Plaintiff,

-against-

19 CIVIL 10388 (VB)

JUDGMENT

KENNETH R. HAMILTON, Mount Vernon City
School District Superintendent; FELICIA GAON,
Director of School Services; PUTNAM/
NORTHERN WESTCHESTER BOARD OF
COOPERATIVE EDUCATIONAL SERVICES;
MOUNT VERNON CITY SCHOOL DISTRICT;
NICOLE MURPHY; PENNY BECKMAN;
MICHELE FRET; and SHELLEY EINBINDER
FLEISCHMANN, Special Education Director,
Putnam County; in their official and individual
Capacities,

Defendants.

-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated February 8, 2023, Defendants' motion to dismiss the second amended complaint is GRANTED. Plaintiff's cross-motion for leave to amend is DENIED. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); accordingly, the case is closed.

Dated: New York, New York

February 9, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk